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## **Board Meeting Board Office—Suite 404 October 28, 2015**

**Members Present:** James Birchem, LNHA, Chair      Nancy Tuders, RN Secretary  
Katie Davis, LNHA      Jennifer Pfeffer, LNHA  
Nathan Johnson, LNHA      Michael Tripple  
Josh Berg-MDH ex-officio      Marilyn Reiersen, Public Member

**Members Absent:** Robert Held, LNHA-DHS ex-officio  
Jane Pederson, MD  
Ann Tagtmeyer, Public Member

**Staff:** Randy Snyder, Executive Director      Jessica Schultz, Office Manager  
Jennifer Middleton, AAGO

**Guests:** Tiernee Murphy, Marilyn Miller

1. Call to Order was made by Chair Birchem at 10:05AM.
2. Additions to and Approval of Agenda  
No additions to the agenda were noted. *A motion to approve the agenda as presented was made by Reiersen and seconded by Tripple. The question was called and the motion was approved unanimously.*  
  
Approval of Minutes from October 29, 2014  
No additions to the minutes were noted, amendment of the date on page to read January 28, 2015 was made. *A motion to approve the minutes as presented was made by Tripple and seconded by Davis. The question was called and the motion was approved unanimously.*
3. Standards of Practice committee had two meetings since the last Board meeting, one occurring on July 22, 2015 and one occurring on August 28, 2015. In both meetings, the committee reviewed a combined nine open complaints and seventeen new complaints.

Upon review, the committee directed:

- Dismissed with review of LNHA actions and currently MDH compliant: 7
- Accept completion of Agreement of Corrective Action: 2
- Hold for MDH compliance date: 0

*"Your role is to protect the public, not the profession", Senator Kathy Sheran, February, 2015*

- Letter of Inquiry: 6
- Recommend AAG Investigations: 6
- Schedule conferences: 2
- Referred to HPSP: 1
- Recommend Stipulation and Order following Conference: 1

***The next committee meeting will take place on October 28, 2015 with no appearances.***

4. The Licensure/Education Committee report was delivered by Snyder in the absence of Tagtmeyer, Committee Chair.

Licensure Report 07/15/2015 to 10/15/2015

The presented report displayed a total of 860 active licensees as of September 1, 2015, nine acting permits, 117 applicants, and 12 educational reviews.

Waiver of Course Requirement/Courses Denied Reports 07/15/2015 to 10/15/2015

No courses were presented.

New Licensees Report 07/15/2015 to 10/15/2015

Thirty-one new licenses were reported for the period of July 15, 2015 to October 15, 2015.

Acting Permits Issued Report 07/15/2015 to 10/15/2015

Nine Acting Permits were issued for the period of July 15, 2015 to October 15, 2015.

Discussion regarding the value of a mentor relationship for acting permit holders took place. The item was tabled to January's meeting.

#### **5. Rulemaking: Update Report Led by Tiernee Murphy (10:30AM)**

Discussion and additions to the Proposed Permanent Rules Relating to Nursing Home Administrators took place. Comment from shareholders was presented and included in the discussion. These changes better reflect the terminology and language used by the Minnesota Department of Health's rules and regulations.

***A motion to approve the following changes to the content of MR Rule 6400.6650, subp. 2(c)(4) Practicum Duration, lines 7.11-7.12 was made by Pfeffer to read;***

***an individual who has served as a housing manager in a facility that has a comprehensive home care license-registered housing with services establishment that has an arranged comprehensive home care license"***

***The motion was seconded by Davis. A vote was called and the motion passes unanimously.***

Discussion regarding public comment received from a Board stakeholder with a request to amend language surrounding the establishments in which directors of nursing operate took place.

***A motion to approve Rule 6400.6650, subp. 2(C), Practicum Duration, lines 7.2-7.3 with additions suggested by association stakeholders was made by Johnson and seconded by Tuders. A call for discussion was made by Bircham.***

Discussion regarding changes to portions of MR 6400.6650 subp. 2, took place. Suggested revisions to the language were made by Murphy.

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***An amended motion to follow the revisions to 6400.6650 subp. 2 (C)(C2)(C4) submitted by a provider association and in accordance with the recommendations of Tiernee Murphy to read as follows:***

- I. Rule 6400.6650, subp. 2(C), Practicum Duration, lines 7.2-7.3  
500 hours for an individual who has served two or more years as a department manager with supervisory and budgetary responsibility in a hospital or nursing facility. This also applies to: and meets the following criteria:***
- II. Rule 6400.6650, subp. 2(c)(2), Practicum Duration, line 7.7  
an individual who has served as director of nursing in a hospital or registered housing with services establishment that has an arranged comprehensive home care license for two or more years; or***
- III. Rule 6400.6650, subp. 2(c)(4) Practicum Duration, lines 7.11-7.12  
(43) an individual who has served as a housing manager in a facility that has a comprehensive home care license-registered housing with services establishment that has an arranged comprehensive home care license***

***was made by Johnson and seconded by Tuders. A vote was called and the motion passed unanimously.***

Discussion regarding comments from a provider association to remove content referring to long-term care facilities for developmentally disabled residents in MR 6500.6650 subp. 2 took place. The comment referenced the declining number of facilities that services this specific population in numbers greater than twenty-five residents. Snyder noted that in his tenure, not one request for reduction in practicum was made using this provision.

***A motion was made by Johnson to exclude the language contained in MR 6400.6650 subp. 2 (C3) from the Proposed Permanent Rules Relating to Nursing Home Administrators. A second to the motion was made by Pfeffer. The vote was called and the motion passed unanimously.***

Additional comment received made point of mentioning the increase in practicum hours and potential student hardship if the internship/practicum time was not reimbursed by the practicum site.

6. Action Items (All action items should have board discussion, conclusion and direction:  
A licensee contacted the Board office suggesting a staff maintained posting of permanent and interim openings. Members present discussed the value of such a listing. Determination was made that a prototype would be presented at the January 27, 2016 meeting and contact to both provider associations with comment to be provided prior to the next meeting.

The Policy Briefing to Fund Practica suggested by St. Mary's will be tabled until January 27, 2016.

Staff presented the annual QAIP review and provided information from the shared AOR report and the BENHA new licensee survey. Noted were a decrease in annual online renewals attributed to a change in reporting methods and online services, the increase in both active licensees (860) and applicants (117). Performance reviews for preapproved academic institutions, including exam results, will be compiled and sent in November 2015 to the respective institutions.

A listing of individuals who did not complete a 2015-16 renewal was presented to the membership in attendance.

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***A motion to approve the listing of non-renewed licensee as inactive/expired was made by Pfeffer and seconded by Tripple. A vote was called and the motion passed unanimously.***

Reinstatement information will be sent in November 2015 to individuals who have yet to submit a renewal for 2015-16 and did not provide a non-renewal notice to the office.

An offer of gratis review (5 hours or less) of examination scores by a statistician was presented by Snyder. The individual has previously assisted Stratis Health and other health care managed care systems, and was introduced to the Board on a previous project by Dr. Pederson. A meeting will be coordinated and undertaken by the Licensure/Education Committee to build a report for the academic community and board to review annual NAB examination results by Minnesota candidates

Exam Committee Meeting will meet on November 20, 2015 to update and create a new version of the exam.

#### **7. Executive Director's Report**

Snyder presented the 2016 Open Appointments, stating the terms of Bircherm and Tagtmeyer will end in January, 2016 with potential service to June 30, 2016

Snyder mentioned the receipt of thanks from former Board members Mehrotra and Pollock with regards to their plaques of appreciation.

IT projects and assistance with navigating the systems and garnering support and support for changes and comparable functionality to pervious systems were mentioned to still be challenges. Alims database and Tridion 2013 were both introduced in late spring and early summer and have yet to be mastered to the point of being fully functional including board reports.

#### **8. Consent Items:**

The financial breakdown of the first quarter of FY 15 for both accounts payable and receivable was presented to members in attendance.

#### **9. HPSP Biennial Report - Marilyn Miller (11:45AM)**


Marilyn Miller from HPSP presented material to the Board relating to statistics, reporting channels, and initiatives of HPSP. Minnesota's Health Professionals Services Program protects the public by providing monitoring services to regulated health care professionals whose illnesses may impact their ability to practice safely. The goals of HPSP are to promote early intervention, diagnosis and treatment for health professionals with illnesses, and to provide monitoring services as an alternative to Board discipline.

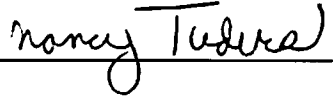
#### **10. Other Business and Adjournment**

BENHA approved meeting dates for 2016 are as follows: January 27, April 27, July 27, and October 26. An update on the Criminal Background initiative and discussion will take place at the January meeting.

***A motion to adjourn the meeting was made at 12:22 PM by Tripple and seconded by Tuders. A vote was called and the motion passed unanimously.***

The next Board meeting will be held at the Board office on January 27, 2016.

Recorder: , Date: 1/27/16  
Jessica Schultz  
Office Manager

Attest: , Date: 1/27/16  
Nancy Tuders  
Board Secretary